

CONSTITUTION

OF THE

Republic of Cuba.

Adopted by the CONSTITUTIONAL CONVENTION, and unanimously approved by the CUBAN CONGRESS assembled at GUAIMARO, the PROVISIONAL CAPITAL of the REPUBLIC, on the tenth day of April, in the year of our Lord one thousand eight hundred and sixty-nine, and the FIRST of the INDEPENDENCE of CUBA.

ARTICLE I.

The Legislative Power shall be vested in a House of Representatives.

ARTICLE II.

To this Body shall be delegated an equal representation from each of the four States into which the Island of Cuba shall be divided.

ARTICLE III.

These States are *Oriente, Camaguey, Las Villas and Occidente.*

ARTICLE IV.

No one shall be eligible as Representative of any of these States except a citizen of the Republic who is upwards of twenty years of age.

ARTICLE V.

No Representative of any State shall hold any other official position during his representative term.

ARTICLE VI.

Whenever a vacancy occurs in the representation of any State, the Executive thereof shall have power to fill such vacancy until the ensuing election.

ARTICLE VII.

The House of Representatives shall elect a President of the Republic, a General-in-Chief of its Armies, a President of the Congress, and other executive officers. The General-in-Chief shall be subordinate to the Executive, and shall render him an account of the performance of his duties.

ARTICLE VIII.

The President of the Republic, the General-in-Chief and the Members of the House of Representatives are amenable to charges which may be made by any citizen to the House of Representatives, who shall proceed to examine into the charges preferred; and if, in their judgment, it be necessary, the case of the accused shall be submitted to the Judiciary.

ARTICLE IX.

The House of Representatives shall have full power to dismiss from office any functionary whom they have appointed.

ARTICLE X.

The Legislative Acts and decisions of the House of Representatives, in order to be valid and binding, must have the sanction of the President of the Republic.

ARTICLE XI.

If the President fail to approve the Acts and decisions of the House, he shall, without delay, return the same with his objections thereto, for the reconsideration of that Body.

ARTICLE XII.

Within ten days after their reception, the President shall return all Bills, Resolutions and Enactments which may be sent to him by the House for his approval, with his sanction thereof, or with his objections thereto.

ARTICLE XIII.

Upon the passage of any Act, Bill or Resolution, after a reconsideration thereof by the House, it shall be sanctioned by the President.

ARTICLE XIV.

The House of Representatives shall legislate upon Taxation, Public Loans, and Ratification of Treaties; and shall have power to declare and conclude War, to authorize the President to issue Letters of Marque, to raise Troops and provide for their support, to organize and maintain a Navy, and to regulate reprisals as to the public enemy.

ARTICLE XV.

The House of Representatives shall remain in permanent session from the time of the ratification of this fundamental law by the People, until the termination of the war with Spain.

ARTICLE XVI.

The Executive Power shall be vested in the President of the Republic.

ARTICLE XVII.

No one shall be eligible to the Presidency who is not a native of the Republic, and over thirty years of age.

ARTICLE XVIII.

All Treaties made by the President may be ratified by the House of Representatives.

ARTICLE XIX.

The President shall have power to appoint Ambassadors, Ministers-plenipotentiary, and Consuls of the Republic to foreign countries.

ARTICLE XX.

The President shall treat with Ambassadors, and shall see that the laws are faithfully executed. He shall also issue official commissions to all the functionaries of the Republic.

ARTICLE XXI.

The President shall propose the names for the members of his Cabinet to the House of Representatives for its approval.

ARTICLE XXII.

The Judiciary shall form an independent, co-ordinate department of the Government, under the organization of a special law.

ARTICLE XXIII.

Voters are required to possess the same qualifications as to age and citizenship as the Members of the House of Representatives.

ARTICLE XXIV.

All the inhabitants of the Republic of Cuba are absolutely free.

ARTICLE XXV.

All the citizens are considered as soldiers of the Liberating Army.

ARTICLE XXVI.

The Republic shall not bestow dignities, titles, nor special privileges.

TO THE HONORABLE THE CONGRESS OF THE UNITED STATES.

We, the CITIZENS of the AMERICAN UNION, in behalf of the principles written in our CHARTER of NATIONAL INDEPENDENCE. In the name of LIBERTY and the SOVEREIGNTY of people struggling to be FREE. Respectfully Petition that your HONORABLE BODY do accord TO CUBA THE RIGHTS OF A BELLIGERENT POWER, and at once recognize the INDEPENDENCE of her sons from the tyranny of a foreign yoke which for more than a year they have MAINTAINED (unaided) by the TRIUMPH OF THEIR ARMS.

ARTICLE XXVII.

The citizens of the Republic shall not accept honors nor titles from foreign countries.

ARTICLE XXVIII.

The House of Representatives shall not abridge the Freedom of Religion, nor of the Press, nor of Public

Meetings, nor of Education, nor of Petition, nor any inalienable Right of the People.

ARTICLE XXIX.

This Constitution can be amended only by the unanimous concurrence of the House of Representatives.

NOTA BENE.—Here follow the signatures of CARLOS MANUEL DE CESPEDES, President of the Convention, and of all of the Delegates.

We, the undersigned, hereby certify and declare that the foregoing is a correct and faithful translation of the Cuban Constitution, and of each and of every Article and Clause thereof, and that the same is the fundamental and supreme law of the Republic.



Done by order of the **JUNTA CUBANA**, at the City of New York, in the United States of America, this 17th day of November, A. D. 1869, and the second year of the **INDEPENDENCE OF CUBA**.

MIGUEL DE ALDAMA,
President.

J. M. MESTRE,
Secretary.